

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert DWILINSKI et al.

Application No.: 10/537,804

Filing Date: June 7, 2005

For: PROCESS FOR OBTAINING BULK
MONO-CRYSTALLINE GALLIUM-
CONTAINING NITRIDE

Examiner: F. C. Hiteshew

Group Art Unit: 1792

Confirmation No.: 6610

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Cite nos. 9 and 10 listed on the attached Form PTO/SB/08a/b were cited in a Japanese Notification of Reasons for Refusal mailed on November 4, 2009 (cite no. 12), directed to counterpart foreign application and have not been previously cited. Concerning a brief explanation of relevancy of the teachings of the cited foreign prior art reference to the present invention pursuant to 37 CFR 1.98(a)(3)(i), Applicant indicates on the attached Form PTO/SB/08a/b, that JP-2001-247399 corresponds to U.S. Pub No. 2001/0015437 (a U.S. counterpart).

Cite no. 11 listed on the attached Form PTO/SB/08a/b is a European Office Action mailed on October 21, 2009, directed to a counterpart foreign application. Applicants note to the Examiner that US-5,456,204 and FR-2 796 657 cited in the European Action were previously submitted; accordingly, they are not submitted herewith. A certification under 37 C.F.R. § 1.97(e)(1) follows:

I hereby certify that Cite nos. 9 and 10 were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Cite nos. 2-8, 13-17 listed on the attached Form PTO/SB/08a/b were cited in a U.S. Office Action mailed on December 4, 2009 (cite no. 18), directed to a related U.S. application no. 11/969,735, and have not been previously cited. A certification under 37 C.F.R. § 1.97(e)(2) follows:

I hereby certify that Cite nos. 2-8, 13-17 listed on the attached Form PTO/SB/08a/b were not first cited in any communication from a foreign patent office in a counterpart foreign application or, to the best of my knowledge after making a reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

This Information Disclosure Statement is submitted after mailing of a final Office Action or Notice of Allowance, but before payment of the Issue Fee. Certifications under 37 C.F.R. § 1.97(e)(1) and (e)(2) are provided above and a fee is due. Accordingly, the appropriate fee is submitted herewith.


Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (204552035400).

Dated: January 21, 2010

Respectfully submitted,

By 

Barry E. Bretschneider

Registration No.: 28,055
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 400
McLean, Virginia 22102
(703) 760-7743